Serial No. 09/963687   - 11 -   Art Unit: 2114

REMARKS

Claims 1, 3, 11, 21, 23, 32, 34, 41, and 47 have been amended. Claims 1 – 50 are

currently pending in this application. The Applicants acknowledge that claims 8 – 10, 13 – 15,

19, 25, 39 – 40, 43 – 45, and 49 recite allowable subject matter. Reconsideration and further

examination is respectfully requested.

Claim Rejections – 35 USC § 112

Claims 11 and 41 were rejected under 35 U.S.C. 112, 2nd paragraph, as being indefinite.

The term "said server" has been eliminated from both claims, thereby obviating the rejection.

Claim Rejections – 35 USC § 102

Claims 1 – 7, 12, 16 – 18, 20 – 24, 26 – 38, 42, 46 – 48, and 50 were rejected under 35

U.S.C. 102(e) as being anticipated by Basani et al., US Patent 6,748,447. This rejection is

respectfully traversed.

The Applicants' exemplary claim 1 sets forth:

"A method for operating a fault-tolerant server group in client-server
distributed dynamic network systems, comprising: receiving, by a master server in
a fault-tolerant server group, a request sent by a client, said fault-tolerant server
group comprising said master server and at least one back-up server, said master
server registering its mastership in a name server and communicating with both
said client and said at least one back-up server, every server in said server group,
including said master server and said at least one back-up server, having a self-
monitoring mechanism, said self-monitoring mechanism that operates in said

Serial No. 09/963687   - 12 -   Art Unit: 2114

master server and said at least one back-up server to ensure that said fault-tolerant server group has a consistent mastership situation; processing, by said fault-tolerant server group, said request to produce a result, said request being processed concurrently by said master server and said at least one back-up server; and sending, by said master server, said result to said client."

The Applicants thereby provide a fault tolerant server group in which a self-monitoring mechanism operates in each server in the group, regardless of whether it is currently a master server or a back-up server, to ensure a consistent mastership situation.

Basani discloses a different kind of server group. First of all, note that in the Applicants' claimed server group, the master server registers its mastership in a name server. The Applicants' master server and name server are not necessarily the same server. In contrast, if Basani can be said to have a name server, the master server and name server are one and the same. (Basani, Col. 15 lines 19 – 38).

Secondly, in the system of Basani, only master servers are capable of resolving conflicting mastership situations. In particular, Figure 7 of Basani shows that the "voting open" state, wherein conflicting mastership is sensed by receipt of an LA message from another server, can only be entered from the "group leader is me" state. (Note that LC messages are not sent by masters; rather, they are sent by back-up servers attempting to become masters.) The "group leader is me state" is only occupied by masters.

Basani therefore fails to teach or suggest a server group, "every server in said server group, including said master server and said at least one back-up server, having a self-monitoring mechanism, said self-monitoring mechanism that operates in said master server and said at least one back-up server to ensure that said fault-tolerant server group has a consistent mastership

Serial No. 09/963687   - 13 -   Art Unit: 2114

situation" as the Applicants have claimed. The Applicants therefore respectfully assert that

Claim 1 and its independent claim 2 are in condition for allowance.

Independent claims 3, 21, 23, 32, and 34 include limitations similar to those of claim 1.

The Applicants therefore respectfully assert that these claims and their dependent claims are in

condition for allowance for the same reasons as set forth with regard to claim 1.

The Applicants' independent claim 17 sets forth:

> "A method for operating a name server, said method comprising: detecting multiple registrations of master servers; and retaining, when multiple registrations of master servers are detected, one master server registration according to a criterion."

Note that a name server detects multiple registrations of master servers. Thus the name

server can be a different server than at least one of the master servers.

In contrast, if Basani teaches a name server, it is one and the same with the master server

only after the master server is resolved. See Basani, Col. 15 lines 19 – 38. Registration is

accepted from other servers in Basani "once the GL is elected". The Office Action equates

leader claim messages with registration messages. The Applicants disagree. Basani clearly

discloses that leader claim messages are protocol messages that are used to determine who the

group leader shall be. Registration messages are then handled, after group leader election, by the

group leader. Thus, Basani fails to teach or suggest a name server detecting multiple registrations

of master servers, as the Applicants have claimed. The Applicants therefore respectfully assert

that claim 17 and its dependent claims are in condition for allowance.

Serial No. 09/963687   - 14 -   Art Unit: 2114

The Applicants' independent claims 30 and 47 include limitations similar to those of claim 17. The Applicants therefore assert that Claims 30 and 47 are in condition for allowance for the same reasons as set forth for claim 17.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-6664 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

10/19/04
Date

Lindsay G. McGuinness, Reg. No. 38,549
Mary Steubing, Reg. No. 37,946
David A. Dagg, Reg. No. 37,809
Holmes Anderson, Reg. No. 37,272
Attorney/Agent for Applicant(s)
Steubing McGuinness & Manaras LLP
125 Nagog Park Drive
Acton, MA 01720
(978) 264-6664

Docket No. 120-105
Dd: 11/23/2004